

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Thomas Joseph Flournoy,	)	Case No. 1:16-cr-034
	)	
Defendant.	)	

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On June 29, 2017, defendant entered a guilty plea to the offense charged in Count One of the Indictment: conspiracy to distribute and possess with intent to distribute 500 grams of more of a mixture and substance containing detectable amounts of methamphetamine. He is presently in custody awaiting sentencing, which is scheduled for September 25, 2017.

On July 17, 2017, the parties filed a “Stipulation to Allow the Defendant to Enter Treatment and Have Contact with his Girlfriend.” Therein they agree to releasing defendant to a residential facility pending sentencing and to permit defendant to have contact with his girlfriend.

The Pretrial Services Office has advised that the residential facilities with which it contracts currently have no space for defendant. Consequently, the court shall place defendant on a waiting list for a residential facility placement with the understanding that it may release defendant to a residential facility by separate order once space becomes available. Defendant should understand, however, that the waiting list for a residential facility placement is relatively lengthy and that there is no guarantee that space for him will open up prior to his sentencing hearing in September. Also, if defendant is close to sentencing when bed space does become available, the court may conclude that release to residential facility at that point is not justified.

**IT IS SO ORDERED.**

Dated this 18th day of July, 2017.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court